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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,342	04/12/2004	Tomoyuki Shimizu	CANO:134	3120

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EXAMINER	
ZHEN, LI B	
ART UNIT	**PAPER NUMBER**
2194	
MAIL DATE	**DELIVERY MODE**
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/822,342	SHIMIZU ET AL.	
	Examiner	Art Unit	
	Li B. Zhen	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 January 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,5-8,10 and 12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,5-8,10 and 12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1, 3, 5 – 8, 10 and 12 are presented for examination.

Response to Arguments

2. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claims 1, 3, 5 – 8, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,633,910 to Rajan et al. [hereinafter Rajan,**

previously cited] in view of U.S. Patent No. 7,120,459 to Sawada et al. [hereinafter Sawada].

6. As to claim 1, Rajan teaches the invention substantially as claimed including a method of notifying updates [notification control module 85 is provided for allowing a user to be notified of any specified data changes; col. 15, lines 25 – 35] of a plurality of stored data [Data stored in aggregation; col. 8, lines 25 – 34], comprising:

detecting update of data which have not been notified [T 79 may be set to near o or "real time monitor" mode. This mode may be used to continuously monitor a site wherein data is frequently and rapidly changing; col. 16, lines 23 – 38] from the plurality of stored data [Any new data found in source sites that does not match a last input template used at the source site is regarded as new data or a change in data; col. 14, lines 18 – 55];

extracting an update from the update data which have not been notified [a filter for the data/metadata that is collected by the gathering subsystem (GSS); col. 17, lines 28 – 40];

accumulating the difference of the data as a notification content [a notification event comprises at least summary data describing the nature of the data changes, col. 16, line 56 – col. 17, line 5; notification comprises data changes at two or more sites (metadata changes), col. 3, lines 53 – 65 and col. 16, lines 37 – 49];

notifying the notification content at predetermined timings [T function 79 tells GSS 77 how often it must check for data changes at included data sources, col. 16,

lines 7 – 56 of Rajan; user may enter specific criteria needed to trigger a notification with respect to any included data source, data, change in data, or condition met with respect to aggregated data over any number of sources. As an example, a user may wish to be notified if his/her net worth falls below a certain amount, or if a particular stock price is falling at a pre-specified rate; col. 16, lines 7 – 56]. Although Rajan teaches the invention substantially, Rajan does not specifically disclose extracting a difference between the data before and after the update which have not been notified, accumulating the difference of the data as a notification content, and placing the accumulated differences in the notification content in order of the updates.

However, Sawada teaches extracting a difference between the data before and after each of the updates which have not been notified [data update notification are…values before the data update; values after the data update; col. 11, line 60 – col. 12, line 20], accumulating the difference of the data as a notification content [generates a data update notification; col. 19, line 44 – col. 20, line 5], notifying the notification content at predetermined timings [timer 68 is activated when the mobility control unit 65 lastly performs the data update; col. 12, lines 20 – 47]; and placing the accumulated differences in the notification content in order of the updates [a data update notification including the location area ID as the updated data, the number "#103" of the location area before the update and the number "#202" of the location area ID after the update; col. 27, lines 33 – 46].

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Rajan to incorporate the features of

Sawada. One would have been motivated to combine the teachings of Rajan and Sawada because this provides a notification providing unit configured to obtain notification from a mobility control unit and provide the notification to the processing unit [col. 2, lines 45 – 54 of Sawada].

7. As to claim 10, this is an apparatus claim that corresponds to method claim 1; see the rejection to claim 1 above, which also meet this apparatus claim.

8. As to claim 12, Rajan as modified teaches a computer-readable medium storing a program for causing a computer to execute a method for notifying a transition of updates [col. 15, lines 25 – 35 of Rajan] of a data [col. 8, lines 25 – 34 of Rajan], comprising:

detecting updates of data [col. 16, lines 23 – 38 of Rajan] which have not been displayed [col. 11, line 60 – col. 12, line 20 of Sawada];

extracting a difference between the data before and after each of the updates which have not been notified [col. 17, lines 28 – 40 of Rajan and col. 11, line 60 – col. 12, line 20 of Sawada];

accumulating the difference of the data as a notification content [col. 19, line 44 – col. 20, line 5 of Sawada]; and

notifying the notification content at predetermined timings [col. 16, lines 7 – 56 of Rajan; col. 16, lines 7 – 56 of Rajan; col. 12, lines 20 – 47 of Sawada]; and

placing the accumulated differences in the notification content in order of the updates [col. 27, lines 33 – 46 of Sawada].

9. As to claim 3, Rajan as modified teaches the outputting step comprises notifying all the update contents [T 79 may be programmed to trigger GSS 77 to check all included data sources according to one frequency; col. 16, lines 23 – 38 of Rajan] stored in the notification content storing step after outputting last time [col. 27, lines 33 – 46 of Sawada].

10. As to claim 5, Rajan teaches the update content extracting step extracts the update content in a case where the update satisfies a predetermined criterion [guard 81 receives a data change that matches a pre-programmed NC, then guard 81 issues a notification event to notification control module 85; col. 16, lines 36 – 48 and col. 17, lines 28 – 40].

11. As to claim 6, Rajan teaches the predetermined timings in said outputting step are externally designated [user may select a specific frequency (i.e. how often the formula of the request is calculated) for each request entered; col. 16, lines 7 – 39].

12. As to claim 7, Rajan teaches the predetermined timings in said outputting step are scheduled in advance [Data stored in aggregation is forwarded to layer 55

according to a pre-assigned schedule for processing; col. 8, lines 25 – 34 and col. 16, lines 7 – 39].

13. As to claim 8, Rajan as modified teaches an update criterion-setting step of setting an update criterion [Guard 81 is programmed to compare data changes entered into database 87 from specified sources to notification criteria entered by a user during configuration; col. 16, lines 36 – 49 of Rajan] to be applied in outputting a notified party of the updated contents [guard 81 receives a data change that matches a pre-programmed NC, then guard 81 issues a notification event to notification control module 85; col. 16, lines 36 – 48 of Rajan]; wherein in said update content extracting step [guard 81 may be used to mine database 87 for existing data to compare against received data changes from Web-based sources; col. 17, lines 50 – 60 of Rajan] extracts a portion of latest update data satisfying the update criterion set in said update criterion-setting step, as the updated content [If guard 81 receives a data change that matches a pre-programmed NC, then guard 81 issues a notification event to notification control module 85; col. 16, lines 36 – 48 of Rajan and col. 12, lines 20 – 47 of Sawada].

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

CONTACT INFORMATION

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571)272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Primary Examiner
Art Unit 2194

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